

UNITED STATES DISTRICT COURT  
Northern District of California

BERNARDO MENDIA,

No. C 10-03910 MEJ

Plaintiff,

**FOURTH ORDER TO SHOW CAUSE**

v.

JOHN M. GARCIA, et al.,

Defendants.  
\_\_\_\_\_ /

On November 3, 2011, the Defendants in the above-captioned matter filed a motion to dismiss, with a noticed hearing date of January 5, 2012. Dkt. No. 34. However, Plaintiff failed to file an opposition pursuant to Civil Local Rule 7. Accordingly, the Court hereby VACATES the January 5 hearing and ORDERS Plaintiff Bernardo Mendia to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration by December 8, 2011, and the Court shall conduct a hearing on December 22, 2011 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. If Plaintiff fails to file a responsive declaration by December 8, Plaintiff is hereby informed that the Court may dismiss the case without a hearing. Thus, it is imperative that Plaintiff file a written response by the deadline above.

**IT IS SO ORDERED.**

Dated: November 29, 2011

  
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Maria-Elena James  
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

BERNARDO MENDIA,

Plaintiff,

v.

JOHN M. GARCIA et al,

Defendant.

Case Number: CV10-03910 MEJ

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 29, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Bernardo Mendia  
P.O. Box 28032  
Oakland, CA 94604

Dated: November 29, 2011

Richard W. Wieking, Clerk  
By: Brenda Tolbert, Deputy Clerk

UNITED STATES DISTRICT COURT  
For the Northern District of California